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Dkt. 57155-AA/JPW/ANX

1646
#8/B
DmJ
10-29-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christophe P.G. Gerald, et al. Examiner: J. F. Murphy

Serial No.: 09/866,248

Group Art Unit: 1646

Filed : May 25, 2001

For : DNA Encoding Mammalian Neuropeptide FF (NPFF) Receptors

1185 Avenue of the Americas
New York, New York 10036
October 15, 2002

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

COMMUNICATION IN RESPONSE TO SEPTEMBER 13, 2002 OFFICE
COMMUNICATION AND RAW SEQUENCE LISTING ERROR REPORT

This Communication is submitted in response to the September 13, 2002 Office Communication and Raw Sequence Listing Error Report issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Office Communication and Raw Sequence Listing Error Report is attached hereto as **Exhibit A**. The Office Communication provides a period of one month for filing a response. A response to this September 13, 2002 Office Communication is due on October 13, 2002. However, since October 13, 2002 falls on a Sunday, a response filed on the next succeeding day which is not a Saturday, Sunday or Federal Holiday, i.e. Tuesday, October 15, 2002, is considered timely filed under 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

The Office Communication indicates that the Communication filed August 10, 2001 is not fully responsive to the Office Communication mailed March 5, 2001 because the application does not fully comply with 37 C.F.R. 1.821 - 1.825.

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OCT 24 2002

Applicants: Christophe P.G. Gerald, et al.
Serial No.: 09/866,248
filed: May 25, 2001

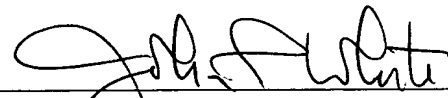
TECH CENTER 1600/2900

In response, applicants submit as **Exhibit B** hereto a corrected paper copy of the sequence listing which comply with 37 C.F.R. 1.821 - 1.825. Applicants also submit herewith a corrected formatted diskette containing a sequence listing in a computer readable form (CRF) as required by 37 C.F.R. §1.825(e). Further, applicants submit herewith a Statement in accordance with 37 C.F.R. §1.821(f) as **Exhibit C**, certifying that the computer readable form containing the nucleic acid and/or amino acid sequences as required by 37 C.F.R. §1.821(e) contains the same information which was submitted as the "Sequence Listing" and contains no new matter.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

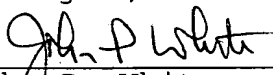
No fee is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231.

 10/15/02
John P. White Date
Reg. No. 28,678



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,248	05/25/2001	Christophe P.G. Gerald	1795/57155-AA JPW/BJA	6169

7590 09/13/2002

John P. White
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

MURPHY, JOSEPH F

ART UNIT PAPER NUMBER

1646

DATE MAILED: 09/13/2002

7

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: ASSISTANT COMMISSIONER FOR PATENTS

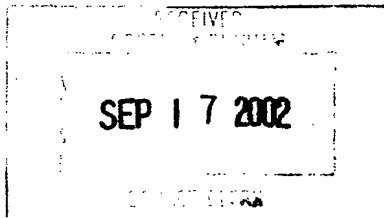
Washington, D.C. 20231

JFW

APPLICATION NO. CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--------------------------------	-------------	---	---------------------

9/13/2002

1st Mo: 10/13/2002
2nd Mo: 11/13/2002
3rd Mo: 12/13/2002
4th Mo: 1/13/2003
5th Mo: 2/13/2003
6th Mo: 3/13/2003



EXAMINER

ART UNIT	PAPER
----------	-------

7

DATE MAILED:

SML

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks


Sequence Rules

The communication filed 8/10/2001 is not fully responsive to the Office communication mailed 3/5/2001 because the Application does not fully comply with 37 CFR 1.821-1.825. The sequence presented in claim 1 does not appear in the Sequence Listing. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of ONE (1) MONTH from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Advisory Information

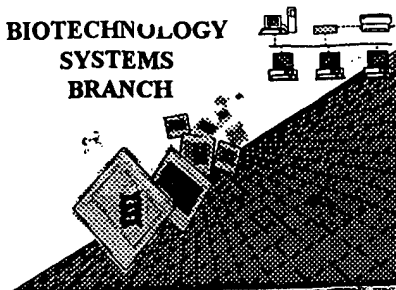
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Murphy whose telephone number is 703-305-7245. The examiner can normally be reached on M-F 7:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler can be reached on 703-308-6564. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-308-0294 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.


Joseph F. Murphy, Ph. D.
Patent Examiner Art Unit 1646
September 11, 2002

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RAW SEQUENCE LISTING **ERROR REPORT**

BIOTECHNOLOGY
SYSTEMS
BRANCH



TECH CENTER 1600/2900

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#6

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/866,248

Source: O/P E

Date Processed by STIC: 6/19/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,**
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY**

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

NOV 13 2001

Raw Sequence Listing Error Summary

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ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/866 248

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped

 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10 Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220> Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses.
 Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
 (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.

NOV 13 2001

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OIPE

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/866,248

DATE: 06/19/2001

TIME: 12:31:16

Input Set : A:\57155A.txt

Output Set: N:\CRF3\06192001\I866248.raw

p.6
Does Not Comply
Corrected Diskette Needed

5 <110> APPLICANT: Gerald, Christophe P.G.
7 Jones, Kenneth A.
9 Bonini, James A.
11 Borowsky, Beth
15 <120> TITLE OF INVENTION: DNA Encoding Mammalian Neuropeptide FF (NPFF) Receptors
17 and Uses Thereof
21 <130> FILE REFERENCE: 1795/57155-A
C--> 25 <140> CURRENT APPLICATION NUMBER: US/09/866,248
C--> 27 <141> CURRENT FILING DATE: 2001-05-25
31 <150> PRIOR APPLICATION NUMBER: 09/161,113
33 <151> PRIOR FILING DATE: 1998-09-25
37 <160> NUMBER OF SEQ ID NOS: 42
41 <170> SOFTWARE: PatentIn Ver. 2.0 - beta
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49 <212> TYPE: DNA
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95 gccacaagc aagcctactc ggagcggccc aaccgcctcc tgcgagggcg ggtggtggtg 1200
97 gacgtgcaac ccagcgactc cggcctgcca tcagagtctg gcccagcag cggggtccca 1260
99 gggcctggcc ggtgccaact gcgcaatggc cgtgtggccc atcaggatgg cccgggggaa 1320
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111 <212> TYPE: PRT
113 <213> ORGANISM: Rattus norvegicus
117 <400> SEQUENCE: 2

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/866,248

DATE: 06/19/2001

TIME: 12:31:16

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Output Set: N:\CRF3\06192001\I866248.raw

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127           20           25           30
131 Ser Ser Tyr Tyr Gln His Ser Ser Pro Val Ala Ala Met Phe Ile Ala
133           35           40           45
137 Ala Tyr Val Leu Ile Phe Leu Leu Cys Met Val Gly Asn Thr Leu Val
139           50           55           60
143 Cys Phe Ile Val Leu Lys Asn Arg His Met Arg Thr Val Thr Asn Met
145   65           70           75           80
149 Phe Ile Leu Asn Leu Ala Val Ser Asp Leu Leu Val Gly Ile Phe Cys
151           85           90           95
155 Met Pro Thr Thr Leu Val Asp Asn Leu Ile Thr Gly Trp Pro Phe Asp
157           100          105          110
161 Asn Ala Thr Cys Lys Met Ser Gly Leu Val Gln Gly Met Ser Val Ser
163           115          120          125
167 Ala Ser Val Phe Thr Leu Val Ala Ile Ala Val Glu Arg Phe Arg Cys
169           130          135          140
173 Ile Val His Pro Phe Arg Glu Lys Leu Thr Leu Arg Lys Ala Leu Phe
175 145           150          155          160
179 Thr Ile Ala Val Ile Trp Ala Leu Ala Leu Leu Ile Met Cys Pro Ser
181           165          170          175
185 Ala Val Thr Leu Thr Val Thr Arg Glu Glu His His Phe Met Leu Asp
187           180          185          190
191 Ala Arg Asn Arg Ser Tyr Pro Leu Tyr Ser Cys Trp Glu Ala Trp Pro
193           195          200          205
197 Glu Lys Gly Met Arg Lys Val Tyr Thr Ala Val Leu Phe Ala His Ile
199           210          215          220
203 Tyr Leu Val Pro Leu Ala Leu Ile Val Val Met Tyr Val Arg Ile Ala
205 225           230          235          240
209 Arg Lys Leu Cys Gln Ala Pro Gly Pro Ala Arg Asp Thr Glu Glu Ala
211           245          250          255
215 Val Ala Glu Gly Arg Thr Ser Arg Arg Arg Ala Arg Val Val His
217           260          265          270
221 Met Leu Val Met Val Ala Leu Phe Phe Thr Leu Ser Trp Leu Pro Leu
223           275          280          285
227 Trp Val Leu Leu Leu Leu Ile Asp Tyr Gly Glu Leu Ser Glu Leu Gln
229           290          295          300
233 Leu His Leu Leu Ser Val Tyr Ala Phe Pro Leu Ala His Trp Leu Ala
235 305           310          315          320
239 Phe Phe His Ser Ser Ala Asn Pro Ile Ile Tyr Gly Tyr Phe Asn Glu
241           325          330          335
245 Asn Phe Arg Arg Gly Phe Gln Ala Ala Phe Arg Ala Gln Leu Cys Trp
247           340          345          350
251 Pro Pro Trp Ala Ala His Lys Gln Ala Tyr Ser Glu Arg Pro Asn Arg
253           355          360          365
257 Leu Leu Arg Arg Arg Val Val Val Asp Val Gln Pro Ser Asp Ser Gly
259           370          375          380
263 Leu Pro Ser Glu Ser Gly Pro Ser Ser Gly Val Pro Gly Pro Gly Arg

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/866,248

DATE: 06/19/2001

TIME: 12:31:16

Input Set : A:\57155A.txt

Output Set: N:\CRF3\06192001\I866248.raw

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265 385          390          395          400
269 Leu Pro Leu Arg Asn Gly Arg Val Ala His Gln Asp Gly Pro Gly Glu
271          405          410          415
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331          20          25          30
335 Tyr Gln His Thr Ser Pro Val Ala Ala Met Phe Ile Val Ala Tyr Ala
337          35          40          45
341 Leu Ile Phe Leu Leu Cys Met Val Gly Asn Thr Leu Val Cys Phe Ile
343          50          55          60
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349 65
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371 aatattacct atgtgaacta ctatcttcac cagcctcaag tggcagcaat cttcattatt 180
373 tctacttttc tgatcttctt tttgtgcatg atgggaaata ctgtggtttg ctttattgta 240
375 atgaggaaca aacatatgca cacagtcact aatctcttca tcttaaacct ggccataagt 300
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381 gcttcagttc ttacgttagt tgcaattgct gtagataggt tccagtgtgt ggtctaccct 480
383 tttaaaccaa agctcactat caagacagcg tttgtcatta ttatgatcat ctgggtccta 540
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389 ccaaactcagg aaatgaggaa gatctacacc actgtgtgtg ttgccaacat ctacctggct 720
391 cccctctccc tcattgtcat catgtatgga aggattggaa tttcactctt cagggtcgca 780
393 gttcctcaca caggcaggaa gaaccaggag cagtggcagc tgggtgtccag gaagaagcag 840
395 aagatcatta agatgtctct gattgtggcc ctgcttttta ttctctcatg gctgccccctg 900

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RAW SEQUENCE LISTING

DATE: 06/19/2001

PATENT APPLICATION: US/09/866,248

TIME: 12:31:16

Input Set : A:\57155A.txt

Output Set: N:\CRF3\06192001\I866248.raw

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405 gtgctcataa acacatctaa tcagcttgtc caggaatcta catttcaaaa ccctcatggg 1200
407 gaaaccttgc tttataggaa aagtgtgtaa aaaccccaac aggaattagt gatggaagaa 1260
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433 20 25 30
437 Thr Tyr Val Asn Tyr Tyr Leu His Gln Pro Gln Val Ala Ala Ile Phe
439 35 40 45
443 Ile Ile Ser Tyr Phe Leu Ile Phe Phe Leu Cys Met Met Gly Asn Thr
445 50 55 60
449 Val Val Cys Phe Ile Val Met Arg Asn Lys His Met His Thr Val Thr
451 65 70 75 80
455 Asn Leu Phe Ile Leu Asn Leu Ala Ile Ser Asp Leu Leu Val Gly Ile
457 85 90 95
461 Phe Cys Met Pro Ile Thr Leu Leu Asp Asn Ile Ile Ala Gly Trp Pro
463 100 105 110
467 Phe Gly Asn Thr Met Cys Lys Ile Ser Gly Leu Val Gln Gly Ile Ser
469 115 120 125
473 Val Ala Ala Ser Val Phe Thr Leu Val Ala Ile Ala Val Asp Arg Phe
475 130 135 140
479 Gln Cys Val Val Tyr Pro Phe Lys Pro Lys Leu Thr Ile Lys Thr Ala
481 145 150 155 160
485 Phe Val Ile Ile Met Ile Ile Trp Val Leu Ala Ile Thr Ile Met Ser
487 165 170 175
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493 180 185 190
497 Arg Leu Asn Ser Gln Asn Lys Thr Ser Pro Val Tyr Trp Cys Arg Glu
499 195 200 205
503 Asp Trp Pro Asn Gln Glu Met Arg Lys Ile Tyr Thr Thr Val Leu Phe
505 210 215 220
509 Ala Asn Ile Tyr Leu Ala Pro Leu Ser Leu Ile Val Ile Met Tyr Gly
511 225 230 235 240
515 Arg Ile Gly Ile Ser Leu Phe Arg Ala Ala Val Pro His Thr Gly Arg
517 245 250 255
521 Lys Asn Gln Glu Gln Trp His Val Val Ser Arg Lys Lys Gln Lys Ile
523 260 265 270
527 Ile Lys Met Leu Leu Ile Val Ala Leu Leu Phe Ile Leu Ser Trp Leu
529 275 280 285
533 Pro Leu Trp Thr Leu Met Met Leu Ser Asp Tyr Ala Asp Leu Ser Pro

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/866,248

DATE: 06/19/2001

TIME: 12:31:16

Input Set : A:\57155A.txt

Output Set: N:\CRF3\06192001\I866248.raw

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545 Leu Ala Phe Gly Asn Ser Ser Val Asn Pro Ile Ile Tyr Gly Phe Phe
547      325      330      335
551 Asn Glu Asn Phe Arg Arg Gly Phe Gln Glu Ala Phe Gln Leu Gln Leu
553      340      345      350
557 Cys Gln Lys Arg Ala Lys Pro Met Glu Ala Tyr Ala Leu Lys Ala Lys
559      355      360      365
563 Ser His Val Leu Ile Asn Thr Ser Asn Gln Leu Val Gln Glu Ser Thr
565      370      375      380
569 Phe Gln Asn Pro His Gly Glu Thr Leu Leu Tyr Arg Lys Ser Ala Glu
571 385      390      395      400
575 Lys Pro Gln Gln Glu Leu Val Met Glu Glu Leu Lys Glu Thr Thr Asn
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→ see item 9 on Eva summary sheet

23

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→ item 9

23

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/866,248

DATE: 06/19/2001

TIME: 12:31:17

Input Set : A:\57155A.txt

Output Set: N:\CRF3\06192001\I866248.raw

L:25 M:270 C: Current Application Number differs, Replaced Application Number
L:27 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:841 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:9
L:841 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:9
L:841 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:9
L:863 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:10
L:863 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:10
L:863 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:10